

1 KEVIN V. RYAN (CSBN 118321)  
United States Attorney

2 MARK L. KROTOSKI (CSBN 138549)  
3 Chief, Criminal Division

4 PETER B. AXELROD (CSBN 190843)  
5 LAUREL BEELER (CSBN 187656)  
Assistant United States Attorneys

6 450 Golden Gate Avenue, Box 36055  
7 San Francisco, California 94102  
Telephone: (415) 436-6774  
8 Facsimile: (415) 436-7234  
E-Mail: [Peter.Axelrod@usdoj.gov](mailto:Peter.Axelrod@usdoj.gov)

9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA, )

No. CR 05-0447 CRB

14 Plaintiff, )

15 v. )

STIPULATION AND ORDER RE: ORDER  
OF FORFEITURE AND ENTRY OF  
FORFEITURE JUDGMENT

16 MIN SUNG KIM, )

17 Defendant. )  
18

19 The United States of America, by and through Assistant United States Attorneys Peter B.  
20 Axelrod and Laurel Beeler, and defendant Min Sung Kim, by and through her counsel Mark  
21 Goldrosen, hereby stipulate and agree to the following:

22 1. On July 14, 2005, a federal grand jury returned an Indictment charging defendant Kim  
23 with two counts of alien harboring in violation of Title 8, United States Code, Section  
24 1324(a)(1)(A)(iii) – Alien Harboring For the Purpose Of Commercial Advantage and Private  
25 Financial Gain.

26 2. On July 5, 2006, defendant Kim pled guilty to one of the counts of the indictment  
27 charging her with alien harboring, in violation of Title 8, United States Code, Section  
28 1324(a)(1)(A)(iii) (count two).

3. As set forth in Paragraph 9 of said plea agreement, defendant Kim agreed to forfeit to the United States \$70,000, an amount that represents the value of the proceeds defendant Kim earned from employing aliens that she harbored, in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iii).

4. The parties further stipulate that defendant Kim shall receive an offset from that \$70,000, in the amount of \$7,673 in United States currency recovered from 1065 Colony Hills Lane, Cupertino, California (her residence), on June 30, 2005, which also represents proceeds of employing aliens that she harbored. Defendant Kim thus withdraws any claims she may have to the \$7,673 seized from her residence and consents to the forfeiture of said funds. Defendant Kim specifically withdraws and waives any claims she had, or made, to the administrative forfeiture of those funds.

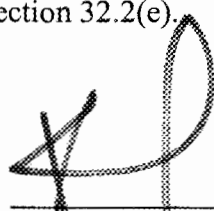
5. Accordingly, as a result of the conviction of the offenses set forth above, and pursuant to Rule 32.2(b) of the Federal Rule of Criminal Procedures and Title 18, United States Code, Section 982(a)(6)(A), the parties stipulate that the Court should enter a money judgment against defendant Kim in the amount of \$70,000.

6. All payments made in satisfaction of this money judgment shall be made payable to the Department of Homeland Security and delivered to the attention of Peter B. Axelrod, Assistant United States Attorney, United States Attorneys Office, 450 Golden Gate Avenue, San Francisco, California 94102, in a time and manner as prescribed by the Court.

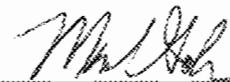
7. Pursuant to Rule 32.2(b)(3), this Order of Forfeiture is final as to the defendant and shall be made part of the sentence and included in the judgment.

8. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary pursuant to Federal Rules of Criminal Procedure, Section 32.2(e).

Dated: 10/25/06

  
 PETER B. AXELROD  
 LAUREL BEELER  
 Assistant United States Attorneys

1 Dated: 10/25/06

  
MARK GOLDROSEN  
Attorney for Defendant


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4 Dated: 10/25/06

  
MIN SUNG KIM  
Defendant

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7 INTERPRETER CERTIFICATION

8 I, Ted Kim, hereby certify that I am a certified Korean [language]  
9 interpreter and that I accurately translated this Stipulation Re: Order of Forfeiture and Entry of  
10 Forfeiture Judgment to the defendant, she told me that she understood it, and I believe her answer  
11 was true and correct.

12 Dated: 10-25-06

  
Interpreter's signature

13  
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15 ORDER

16 Based on the above stipulation and good cause appearing therefore, IT IS HEREBY  
17 ORDERED THAT:

18 1. Pursuant to Federal Rule of Criminal Procedure 32.2(b) and Title 18, United States  
19 Code, Section 982(a)(6)(A), defendant Kim is hereby ordered to pay a forfeiture money judgment  
20 in the amount of \$70,000.

21 2. Defendant Kim shall receive an offset from said \$70,000 money judgment, in the  
22 amount of \$7,673 in United States currency recovered from 1065 Colony Hills Lane, Cupertino,  
23 California (her residence), on June 30, 2005, which also represent proceeds employing the aliens  
24 that she harbored.

25 3. Defendant Kim's claim to \$7,673 in United States currency is hereby withdrawn. All  
26 right, title and interest in said \$7,673 in United States currency is condemned and forfeited to the  
27 United States.

28 4. All payments made in satisfaction of this money judgment shall be made payable to  
the Department of Homeland Security and delivered to the attention of Peter B. Axelrod,

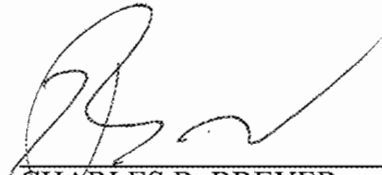
1 Assistant United States Attorney, United States Attorneys Office, 450 Golden Gate Avenue, San  
2 Francisco, California 94102, in a time and manner as prescribed by the Court.

3 5. Pursuant to Rule 32.2(b)(3), this Order of Forfeiture is final as to the defendant and  
4 shall be made part of the sentence and included in the judgment.

5 6. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary  
6 pursuant to Federal Rules of Criminal Procedure, Section 32.2(e).

7 IT IS SO ORDERED.

8  
9 Dated: Oct. 25, 2006

  
10 CHARLES R. BREYER  
11 United States District Judge  
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